IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 8162 of 2007(V)

PETITIONER:

ANNAMMA, W/O.LATE CHAKKUTTY,
MOROKEY HOUSE, THAIKADU P.O.,
THRISSUR DT.

BY ADV. SRI.S.ANANTHAKRISHNAN
SRI.N.K.SUBRAMANIAN

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY SHRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 8162/07.

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE JUDGMENT IN O.P.NO.10013/91 DTD.11.12.03.

P2. COPY OF THE ARGUMENT NOTE DTD.27.7.05.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.8162 of 2007

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Dated this the 23rd day of August, 2007

J U D G M E N T

In this writ petition this court passed an interim order on 12.3.2007, as follows:

> "This writ petitioner is the unfortunate widow of late Chekkutty who filed Ext.P1 writ petition and obtained a final judgment on 11.12.2003, inter alia directing the Government to pass fresh orders on the application filed by the 3rd respondent under Section 75(3) of the Kerala Land Reforms Act. It is stated in the writ petition that following Ext.P1 judgment the matter was heard on 25.08.05 at that hearing, argument dated 27.07.05 was also placed. If that be so, the whole of what we call a welfare State has failed to respondent to the much trumpeted socialist goals in the Constitution. It is still unfortunate that the proceedings under a legislation which has a beneficial and benevolent claim is left in the lurch. I am not persuaded to issue any writ because in spite of Ext.P1 the writ being issued by the constitutional court, in the situation, by treating Ext.P1 as a futile one, the administration has failed to obey the directions contained in that writ. This may be an abundantly fit case where any person who has failed to act in terms of Ext.P1 be proceeded against under the Contempt of Court Act, though preceduraly in spite of article 215 of the Constitution, that may not be a matter in which I would issue notice as of now. In the aforesaid circumstance, the learned Government Pleader shall obtain instructions from the 2nd respondent as to the final decision following Ext.P1."

2. Now the learned Government Pleader submits that there has been some delay in passing orders which ought not to have occurred and he promises that orders would be passed

within a period of one month. This is recorded and the writ petition is disposed of with a direction to the 2nd respondent to communicate the decision taken pursuant to the direction in Ext.P1 judgment within a period of month from the date of receipt of a copy of this judgment.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.